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Agenda item 110 (c)

HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Australia, Austria, Belgium, Canada, Costa Rica, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Marshall Islands, Monaco, Netherlands, Norway, Portugal, Romania, San Marino, Slovenia, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America and Uzbekistan: draft resolution

Situation of human rights in Cuba

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms, as stated in the Charter of the United Nations and elaborated in the Universal Declaration of Human Rights[1] and other applicable human rights instruments,

Noting that Cuba is a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[2]

Reaffirming also that all States have an obligation to fulfil the commitments they have freely undertaken under the various international instruments,

[1] Resolution 217 A (III).

[2] Resolution 39/76, annex.

Taking particular note of Commission on Human Rights resolution 1996/69 of 23 April 1996,[3] in which the Commission recognized with deep appreciation the past efforts of the Special Rapporteur concerning the situation of human rights in Cuba and extended his mandate for one year,

Expressing concern about continuing serious violations of human rights in Cuba, the majority of which are violations of civil and political rights, as outlined in the interim report on the situation of human rights in Cuba submitted to the General Assembly by the Special Rapporteur,[4]

Deploring, in this regard, the arbitrary arrest, detention and harassment of Cuban citizens, particularly of members of the Concilio Cubano, a group coordinating the activities of dozens of human rights groups, seeking to exercise their human rights and fundamental freedoms,

Recalling the continued refusal of the Government of Cuba to cooperate with the Commission on Human Rights with regard to its resolution 1996/69, including its repeated opposition to a visit to Cuba by the Special Rapporteur,

1. Commends the Special Rapporteur of the Commission on Human Rights for his interim report on the situation of human rights in Cuba;

2. Expresses its full support for the work of the Special Rapporteur;

3. Calls once more upon the Government of Cuba to cooperate fully with the Special Rapporteur by permitting him full and free access to establish contact with the Government and the citizens of Cuba so that he may fulfil the mandate entrusted to him;

4. Regrets profoundly the numerous violations of human rights and fundamental freedoms in Cuba, as described in the report of the Special Rapporteur to the Commission on Human Rights[5] and in his interim report;[4]

5. Urges the Government of Cuba to ensure freedom of expression and assembly and the freedom to demonstrate peacefully, including by allowing political parties and non-governmental organizations to function freely in the country and by reforming legislation in this area;

6. Calls especially upon the Government of Cuba to release the numerous persons detained for activities of a political nature, including those specifically mentioned in the report of the Special Rapporteur, who suffer from inadequate medical care while imprisoned or whose rights as journalists or jurists are impeded or denied;

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[3] See Official Records of the Economic and Social Council, 1996, Supplement No. 3 (E/1996/231), chap. II, sect. A.

[4] A/51/460, annex.

[5] E/CN.4/1996/60.

7. Calls upon the Government of Cuba to carry out the recommendations contained in the interim report of the Special Rapporteur to bring its observance of human rights and fundamental freedoms in Cuba into conformity with international standards and applicable international human rights instruments and to end all violations of human rights including, in particular, the detention and imprisonment of human rights defenders and others who are engaged in the peaceful exercise of their rights, and to grant access to its prisons to non-governmental humanitarian organizations and international humanitarian agencies;

8. Decides to continue its consideration of this question at its fifty-second session.